

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

EDWARD M. HAMPTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:20-cv-00440-JPH-DLP
	)	
VANVLEET,	)	
CARPENTER,	)	
KEVIN GILMORE,	)	
KOURTNEY ABBOTT,	)	
PAM ARNEY,	)	
	)	
Defendants.	)	

**ORDER DIRECTING PLAINTIFF TO PAY FILING FEE**

Mr. Hampton is ineligible to proceed *in forma pauperis* because he has accumulated three "strikes" under the Prison Litigation Reform Act. 28 U.S.C. § 1915(g). On October 20, 2020, the Court denied Mr. Hampton's motion for leave to proceed *in forma pauperis* and ordered him to show cause as to how he meets the imminent danger exception. Dkt. 7. Mr. Hampton filed a timely response to the Court's show cause Order, but he has failed to show he meets the exception. Dkt. 8.

Mr. Hampton's response states that he only has one way to show that he is currently in imminent danger and that is that he is "currently being housed with inmates who have either tested positive for Covid-19 or have come into contact with someone who has the virus" which has placed his life in danger. *Id.* While the Court is sympathetic of the challenges that are presented at the facility in responding to this global pandemic, Mr. Hampton's risk of coming into contact with the virus was not alleged in his complaint and is unrelated and does not apply to the claims asserted in his complaint. Mr. Hampton's claims involve his request to be placed into protective custody

due to threats he received from the "Folks" nation members and his assertions that he could be placed back into the general population at any time. *Id.*

The Court concludes that there is no basis to allow Mr. Hampton to proceed *in forma pauperis* and his motion for *in forma pauperis* status has been properly denied. *See, e.g., Fletcher v. Menard Correctional Ctr.*, 623 F.3d 1171, 1174-75 (7th Cir. 2019) ("if the danger is imminent when the complaint is filed, the exception clicks in.") Accordingly, Mr. Hampton shall have **through December 14, 2020** to pay the \$400 filing fee to the clerk of the district court. Failure to do so by this deadline will result in the dismissal of this action without further notice.

**SO ORDERED.**

Date: 11/24/2020



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

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